IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 12TH JULY 2006 / 21ST ASHADHA,1928

Bail Appl..No. 3915 of 2006

CMP.5697/2006 of J.M.F.C.-I,KOTTARAKKARA
(CRIME NO.87/2006 OF EXCISE RANGE, KOTTARAKKARA)

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PETITIONER/ACCUSED:

ANUVILKUMAR @ BALAN,
S/O. SIVADASAN, KAMALANIVASSIL VEEDU,
POOVATOORKIZHAKKU MURI,
KULAKKADA VILLAGE, KOTTARAKARA.

BY ADV. SRI.ALEXANDER GEORGE

RESPONDENTS: COMPLAINANT:

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1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. THE EXCISE INSPECTOR,
EXCISE RANGE, KOTTARAKARA.

BY PUBLIC PROSECUTOR T.K. KUNHABDULLA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 3915/2006

DATED THIS THE 12TH DAY OF JULY, 2006

O R D E R

The petitioner was arrested on 30.5.2006, because of his illegal possession of 10.700 liters of arrack together with twenty five liters of wash and some utensils for illicit distillation of arrack. Hence the Excise Range Officials of Kottarakkara, registered C.R.No.87/2006 of that Excise Range, under Sections 8(1) & 8(2), 12(1), 55(b) and 55(g) of the Abkari Act. The petitioner remains in judicial custody. Hence this application, under Section 439 Cr.P.C.

2. After hearing both sides and considering the facts that are produced before me, I find that the continued judicial custody of the petitioner is not required any further, and therefore, I grant bail and release the petitioner from jail, subject to the following the conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-I, Kottarakkara.

(b). The petitioner shall report before the Inspector of Excise Range, Kottarakkara, once in a week, on every Monday, between 10.00 a.m and 11.00 a.m., for a period of two months, starting from 17.7.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs